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AMENDED IN SENATE MAY 28, 2013

AMENDED IN SENATE MAY 8, 2013

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AMENDED IN SENATE APRIL 1, 2013

## **SENATE BILL**

**No. 528**

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**Introduced by Senator Yee**  
**(Principal coauthor: Senator Leno)**  
**(Coauthors: Senators Beall and Evans)**  
(Coauthor: Assembly Member Ammiano)

February 21, 2013

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An act to amend ~~Section 8263 of the Education Code, and to amend~~ Sections 369, 16001.9, and 16002.5 of the Welfare and Institutions Code, relating to juveniles.

### LEGISLATIVE COUNSEL'S DIGEST

SB 528, as amended, Yee. Dependents: care and treatment: minor parents and nonminor dependent parents.

Under existing law, minors are authorized to consent to medical and other treatment under certain circumstances, including the diagnosis and treatment of sexual assault, medical care relating to the prevention or treatment of pregnancy, treatment of infectious, contagious, and

communicable diseases, mental health treatment, and treatment for alcohol and drug abuse.

Under existing law, a child may come within the jurisdiction of the juvenile court and become a dependent child of the court under certain circumstances, including in cases of abuse and neglect. Under existing law, when a minor has been, or has a petition filed with the court to be, adjudged a dependent child of the court, the court may authorize, or order that a social worker may authorize, medical and other care for the minor, as prescribed. Under existing law, a social worker may, without court order, authorize medical and other care for a minor in emergency situations, as specified.

This bill would specify that nothing in those provisions shall be construed to limit the rights of dependent children to consent to specified types of medical and other care, including the diagnosis and treatment of sexual assault, medical care relating to the prevention or treatment of pregnancy, treatment of infectious, contagious, and communicable diseases, mental health treatment, and treatment for alcohol and drug abuse. This bill would authorize a dependent child's social worker, if the child is 12 years of age or older, to inform the child of his or her right as a minor to consent to and receive those health services. This bill would authorize social workers to provide dependent children with access to age-appropriate, medically accurate information about sexual development, reproductive health, and prevention of unplanned pregnancies and sexually transmitted infections.

Existing law declares the intent of the Legislature to maintain the continuity of the family unit and to support and preserve families headed by minor parents and nonminor dependent parents, as defined, and provides that, to the greatest extent possible, minor parents and their children living in foster care shall be provided with access to services that target supporting, maintaining, and developing the parent-child bond and the dependent parent's ability to provide a permanent and safe home for the child. Under existing law, minor parents are required to be given the ability to attend school, complete homework, and participate in age and developmentally appropriate activities separate from parenting. Existing law requires foster care placements for minor parents and their children to demonstrate a willingness and ability to provide support and assistance to minor parents and their children.

This bill would declare the intent of the Legislature to ensure that complete and accurate data on parenting minor and nonminor dependents is collected, as specified, and would authorize child welfare agencies

to provide minor parents and nonminor dependent parents with access to social workers or resource specialists who have received specified training. The bill would encourage child welfare agencies to update the case plans for pregnant and parenting dependents within 60 calendar days of the date the agency is informed of a pregnancy, and would authorize those agencies to hold a specialized conference, as prescribed, to assist the pregnant or parenting foster youth and nonminor dependents with planning for healthy parenting, among other things. The bill would additionally require nonminor dependent parents to be given the ability to attend school, complete homework, and participate in age and developmentally appropriate activities separate from parenting. This bill would authorize child welfare agencies, local educational agencies, and child care resource and referral agencies to make reasonable and coordinated efforts to ensure that minor parents and nonminor dependent parents who have not completed high school have access to school programs that provide onsite or coordinated child care, ~~and that minor parents and nonminor dependent parents are given priority for subsidized child care.~~ This bill would additionally require foster care placements for nonminor dependent parents and their children to demonstrate a willingness and ability to provide support and assistance to nonminor dependent parents and their children.

Existing law provides that it is the policy of the state that foster children have specified rights.

This bill would instead specify that all minors and nonminors in foster care have those rights. The bill would provide that foster children also have the right, at 12 years of age or older, to receive information regarding specified health care services.

~~Existing law, the Child Care and Development Services Act, administered by the State Department of Education, requires the Superintendent of Public Instruction to administer child care and development programs that offer a full range of services for eligible children from infancy to 13 years of age. Existing law requires the Superintendent to adopt rules and regulations on eligibility, enrollment, and priority of services needed to implement the Child Care and Development Services Act, and requires families to meet at least one of the specified requirements in order to be eligible for federal and state subsidized child development services.~~

~~This bill would provide that a family may be eligible for services if one or both parents are foster youth or nonminor dependents under 21~~

years of age, or if the family needs child care services because the parents are foster youth or nonminor dependents.

~~Under existing law, priority for federal and state subsidized child development services is given first to children who are or who are at risk of neglect or abuse, and second priority is given to eligible families who are income eligible, as specified. Existing law provides that if 2 or more families are in the same priority in relation to income, the family that has a child with exceptional needs shall be admitted first.~~

~~This bill would provide that a family in which one or both parents are foster youth or nonminor dependents under 21 years of age shall also be given second priority enrollment. The bill would prohibit this priority enrollment from being used to displace children who are currently receiving care.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     ~~SECTION 1. Section 8263 of the Education Code is amended~~  
2     ~~to read:~~

3     ~~8263. (a) The Superintendent shall adopt rules and regulations~~  
4     ~~on eligibility, enrollment, and priority of services needed to~~  
5     ~~implement this chapter. In order to be eligible for federal and state~~  
6     ~~subsidized child development services, families shall meet at least~~  
7     ~~one requirement in each of the following areas:~~

8     ~~(1) A family is (A) a current aid recipient, (B) income eligible,~~  
9     ~~(C) homeless, (D) one whose children are recipients of protective~~  
10    ~~services, or whose children have been identified as being abused,~~  
11    ~~neglected, or exploited, or at risk of being abused, neglected, or~~  
12    ~~exploited, or (E) one in which one or both parents are foster youth~~  
13    ~~or nonminor dependents under 21 years of age.~~

14    ~~(2) A family needs the child care services (A) because the child~~  
15    ~~is identified by a legal, medical, or social services agency, or~~  
16    ~~emergency shelter as (i) a recipient of protective services or (ii)~~  
17    ~~being neglected, abused, or exploited, or at risk of neglect, abuse,~~  
18    ~~or exploitation, or (B) because the parents are (i) engaged in~~  
19    ~~vocational training leading directly to a recognized trade,~~  
20    ~~paraprofession, or profession, (ii) foster youth or nonminor~~  
21    ~~dependents, (iii) employed or seeking employment, (iv) seeking~~  
22    ~~permanent housing for family stability, or (v) incapacitated.~~

1     ~~(b) Except as provided in Article 15.5 (commencing with Section~~  
2     ~~8350), priority for federal and state subsidized child development~~  
3     ~~services is as follows:~~

4     ~~(1) (A) First priority shall be given to neglected or abused~~  
5     ~~children who are recipients of child protective services, or children~~  
6     ~~who are at risk of being neglected or abused, upon written referral~~  
7     ~~from a legal, medical, or social services agency. If an agency is~~  
8     ~~unable to enroll a child in the first priority category, the agency~~  
9     ~~shall refer the family to local resource and referral services to~~  
10    ~~locate services for the child.~~

11    ~~(B) A family who is receiving child care on the basis of being~~  
12    ~~a child at risk of abuse, neglect, or exploitation, as defined in~~  
13    ~~subdivision (k) of Section 8208, is eligible to receive services~~  
14    ~~pursuant to subparagraph (A) for up to three months, unless the~~  
15    ~~family becomes eligible pursuant to subparagraph (C).~~

16    ~~(C) A family may receive child care services for up to 12 months~~  
17    ~~on the basis of a certification by the county child welfare agency~~  
18    ~~that child care services continue to be necessary, or if the child is~~  
19    ~~receiving child protective services during that period of time, and~~  
20    ~~the family requires child care and remains otherwise eligible. This~~  
21    ~~time limit does not apply if the family's child care referral is~~  
22    ~~recertified by the county child welfare agency.~~

23    ~~(2) Second priority shall be given equally to eligible families,~~  
24    ~~regardless of the number of parents in the home, who are income~~  
25    ~~eligible. Within this priority, families with the lowest gross monthly~~  
26    ~~income in relation to family size, as determined by a schedule~~  
27    ~~adopted by the Superintendent, shall be admitted first. If two or~~  
28    ~~more families are in the same priority in relation to income, the~~  
29    ~~family that has a child with exceptional needs, or the family in~~  
30    ~~which one or both parents are foster youth or nonminor dependents~~  
31    ~~under 21 years of age, shall be admitted first. Priority enrollment~~  
32    ~~for families in which one or both parents are foster youth or~~  
33    ~~nonminor dependents under 21 years of age shall be granted when~~  
34    ~~slots become available, but shall not displace children who are~~  
35    ~~currently receiving care. If there is no family of the same priority~~  
36    ~~with a child with exceptional needs, or a family in which one or~~  
37    ~~both parents are foster youth or nonminor dependents under 21~~  
38    ~~years of age, the same priority family that has been on the waiting~~  
39    ~~list for the longest time shall be admitted first. For purposes of~~

1 ~~determining order of admission, the grants of public assistance~~  
2 ~~recipients shall be counted as income.~~

3 ~~(3) The Superintendent shall set criteria for and may grant~~  
4 ~~specific waivers of the priorities established in this subdivision for~~  
5 ~~agencies that wish to serve specific populations, including children~~  
6 ~~with exceptional needs or children of prisoners. These new waivers~~  
7 ~~shall not include proposals to avoid appropriate fee schedules or~~  
8 ~~admit ineligible families, but may include proposals to accept~~  
9 ~~members of special populations in other than strict income order,~~  
10 ~~if appropriate fees are paid.~~

11 ~~(e) Notwithstanding any other law, in order to promote~~  
12 ~~continuity of services, a family enrolled in a state or federally~~  
13 ~~funded child care and development program whose services would~~  
14 ~~otherwise be terminated because the family no longer meets the~~  
15 ~~program income, eligibility, or need criteria may continue to~~  
16 ~~receive child development services in another state or federally~~  
17 ~~funded child care and development program if the contractor is~~  
18 ~~able to transfer the family's enrollment to another program that~~  
19 ~~the family is eligible for before the date of termination of services~~  
20 ~~or to exchange the family's existing enrollment with the enrollment~~  
21 ~~of a family in another program, provided that both families satisfy~~  
22 ~~the eligibility requirements for the program in which they are being~~  
23 ~~enrolled. The transfer of enrollment may be to another program~~  
24 ~~within the same administrative agency or to another agency that~~  
25 ~~administers state or federally funded child care and development~~  
26 ~~programs.~~

27 ~~(d) In order to promote continuity of services, the Superintendent~~  
28 ~~may extend the 60-working-day period specified in subdivision~~  
29 ~~(a) of Section 18086.5 of Title 5 of the California Code of~~  
30 ~~Regulations for an additional 60 working days if he or she~~  
31 ~~determines that opportunities for employment have diminished to~~  
32 ~~the degree that one or both parents cannot reasonably be expected~~  
33 ~~to find employment within 60 working days and granting the~~  
34 ~~extension is in the public interest. The scope of extensions granted~~  
35 ~~pursuant to this subdivision shall be limited to the necessary~~  
36 ~~geographic areas and affected persons, which shall be described~~  
37 ~~in the Superintendent's order granting the extension. It is the intent~~  
38 ~~of the Legislature that extensions granted pursuant to this~~  
39 ~~subdivision improve services in areas with high unemployment~~

1 rates and areas with disproportionately high numbers of seasonal  
2 agricultural jobs.

3 ~~(e) A physical examination and evaluation, including~~  
4 ~~age-appropriate immunization, shall be required before, or within~~  
5 ~~six weeks of, enrollment. A standard, rule, or regulation shall not~~  
6 ~~require medical examination or immunization for admission to a~~  
7 ~~child care and development program of a child whose parent or~~  
8 ~~guardian files a letter with the governing board of the child care~~  
9 ~~and development program stating that the medical examination or~~  
10 ~~immunization is contrary to his or her religious beliefs, or provide~~  
11 ~~for the exclusion of a child from the program because of a parent~~  
12 ~~or guardian having filed the letter. However, if there is good cause~~  
13 ~~to believe that a child is suffering from a recognized contagious~~  
14 ~~or infectious disease, the child shall be temporarily excluded from~~  
15 ~~the program until the governing board of the child care and~~  
16 ~~development program is satisfied that the child is not suffering~~  
17 ~~from that contagious or infectious disease.~~

18 ~~(f) Regulations formulated and promulgated pursuant to this~~  
19 ~~section shall include the recommendations of the State Department~~  
20 ~~of Health Care Services relative to health care screening and the~~  
21 ~~provision of health care services. The Superintendent shall seek~~  
22 ~~the advice and assistance of these health authorities in situations~~  
23 ~~when service under this chapter includes or requires care of~~  
24 ~~children who are ill or children with exceptional needs.~~

25 ~~(g) (1) The Superintendent shall establish a fee schedule for~~  
26 ~~families utilizing child care and development services pursuant to~~  
27 ~~this chapter, including families receiving services under paragraph~~  
28 ~~(1) of subdivision (b). Families receiving services under~~  
29 ~~subparagraph (B) of paragraph (1) of subdivision (b) may be~~  
30 ~~exempt from these fees for up to three months. Families receiving~~  
31 ~~services under subparagraph (C) of paragraph (1) of subdivision~~  
32 ~~(b) may be exempt from these fees for up to 12 months. The~~  
33 ~~cumulative period of time of exemption from these fees for families~~  
34 ~~receiving services under paragraph (1) of subdivision (b) shall not~~  
35 ~~exceed 12 months.~~

36 ~~(2) The income of a recipient of federal supplemental security~~  
37 ~~income benefits pursuant to Title XVI of the federal Social Security~~  
38 ~~Act (42 U.S.C. Sec. 1381 et seq.) and state supplemental program~~  
39 ~~benefits pursuant to Title XVI of the federal Social Security Act~~  
40 ~~(42 U.S.C. Sec. 1381 et seq.) and Chapter 3 (commencing with~~

~~Section 12000) of Part 3 of Division 9 of the Welfare and Institutions Code shall not be included as income for purposes of determining the amount of the family fee.~~

~~(h) (1) The family fee schedule shall provide, among other things, that a contractor or provider may require parents to provide diapers. A contractor or provider offering field trips either may include the cost of the field trips within the service rate charged to the parent or may charge parents an additional fee. Federal or state money shall not be used to reimburse parents for the costs of field trips if those costs are charged as an additional fee. A contractor or provider that charges parents an additional fee for field trips shall inform parents, before enrolling the child, that a fee may be charged and that no reimbursement will be available.~~

~~(2) A contractor or provider may charge parents for field trips or require parents to provide diapers only under the following circumstances:~~

~~(A) The provider has a written policy that is adopted by the agency's governing board that includes parents in the decisionmaking process regarding both of the following:~~

~~(i) Whether or not, and how much, to charge for field trip expenses.~~

~~(ii) Whether or not to require parents to provide diapers.~~

~~(B) The maximum total of charges per child in a contract year does not exceed twenty-five dollars (\$25).~~

~~(C) A child shall not be denied participation in a field trip due to the parent's inability or refusal to pay the charge. Adverse action shall not be taken against a parent for that inability or refusal.~~

~~(3) Each contractor or provider shall establish a payment system that prevents the identification of children based on whether or not their parents have paid a field trip charge.~~

~~(4) Expenses incurred and income received for field trips pursuant to this section shall be reported to the department. The income received for field trips shall be reported specifically as restricted income.~~

~~(i) The Superintendent shall establish guidelines for the collection of employer-sponsored child care benefit payments from a parent whose child receives subsidized child care and development services. These guidelines shall provide for the collection of the full amount of the benefit payment, but not to exceed the actual cost of child care and development services~~



1 provided, notwithstanding the applicable fee based on the fee  
2 schedule.

3 (j) The Superintendent shall establish guidelines according to  
4 which the director or a duly authorized representative of the child  
5 care and development program will certify children as eligible for  
6 state reimbursement pursuant to this section.

7 (k) Public funds shall not be paid directly or indirectly to an  
8 agency that does not pay at least the minimum wage to each of its  
9 employees.

10 SEC. 2.

11 SECTION 1. Section 369 of the Welfare and Institutions Code  
12 is amended to read:

13 369. (a) Whenever a person is taken into temporary custody  
14 under Article 7 (commencing with Section 305) and is in need of  
15 medical, surgical, dental, or other remedial care, the social worker  
16 may, upon the recommendation of the attending physician and  
17 surgeon or, if the person needs dental care and there is an attending  
18 dentist, the attending dentist, authorize the performance of the  
19 medical, surgical, dental, or other remedial care. The social worker  
20 shall notify the parent, guardian, or person standing in loco parentis  
21 of the person, if any, of the care found to be needed before that  
22 care is provided, and if the parent, guardian, or person standing in  
23 loco parentis objects, that care shall be given only upon order of  
24 the court in the exercise of its discretion.

25 (b) Whenever it appears to the juvenile court that a person  
26 concerning whom a petition has been filed with the court is in need  
27 of medical, surgical, dental, or other remedial care, and that there  
28 is no parent, guardian, or person standing in loco parentis capable  
29 of authorizing or willing to authorize the remedial care or treatment  
30 for that person, the court, upon the written recommendation of a  
31 licensed physician and surgeon or, if the person needs dental care,  
32 a licensed dentist, and after due notice to the parent, guardian, or  
33 person standing in loco parentis, if any, may make an order  
34 authorizing the performance of the necessary medical, surgical,  
35 dental, or other remedial care for that person.

36 (c) Whenever a dependent child of the juvenile court is placed  
37 by order of the court within the care and custody or under the  
38 supervision of a social worker of the county where the dependent  
39 child resides and it appears to the court that there is no parent,  
40 guardian, or person standing in loco parentis capable of authorizing

1 or willing to authorize medical, surgical, dental, or other remedial  
2 care or treatment for the dependent child, the court may, after due  
3 notice to the parent, guardian, or person standing in loco parentis,  
4 if any, order that the social worker may authorize the medical,  
5 surgical, dental, or other remedial care for the dependent child, by  
6 licensed practitioners, as necessary.

7 (d) Whenever it appears that a child otherwise within subdivision  
8 (a), (b), or (c) requires immediate emergency medical, surgical,  
9 or other remedial care in an emergency situation, that care may be  
10 provided by a licensed physician and surgeon or, if the child needs  
11 dental care in an emergency situation, by a licensed dentist, without  
12 a court order and upon authorization of a social worker. The social  
13 worker shall make reasonable efforts to obtain the consent of, or  
14 to notify, the parent, guardian, or person standing in loco parentis  
15 prior to authorizing emergency medical, surgical, dental, or other  
16 remedial care. “Emergency situation,” for the purposes of this  
17 subdivision means a child requires immediate treatment for the  
18 alleviation of severe pain or an immediate diagnosis and treatment  
19 of an unforeseeable medical, surgical, dental, or other remedial  
20 condition or contagious disease which if not immediately diagnosed  
21 and treated, would lead to serious disability or death.

22 (e) In any case in which the court orders the performance of  
23 any medical, surgical, dental, or other remedial care pursuant to  
24 this section, the court may also make an order authorizing the  
25 release of information concerning that care to social workers,  
26 parole officers, or any other qualified individuals or agencies caring  
27 for or acting in the interest and welfare of the child under order,  
28 commitment, or approval of the court.

29 (f) Nothing in this section shall be construed as limiting the  
30 right of a parent, guardian, or person standing in loco parentis,  
31 who has not been deprived of the custody or control of the child  
32 by order of the court, in providing any medical, surgical, dental,  
33 or other remedial treatment recognized or permitted under the laws  
34 of this state.

35 (g) The parent of a person described in this section may  
36 authorize the performance of medical, surgical, dental, or other  
37 remedial care provided for in this section notwithstanding his or  
38 her age or marital status. In nonemergency situations, the parent  
39 authorizing the care shall notify the other parent prior to the  
40 administration of that care.

(h) Nothing in this section shall be construed as limiting the rights of dependent children, pursuant to Chapter 3 (commencing with Section 6920) of Part 4 of Division 11 of the Family Code, to consent to, among other things, the diagnosis and treatment of sexual assault, medical care relating to the prevention or treatment of pregnancy, including contraception, abortion, and prenatal care, treatment of infectious, contagious, or communicable diseases, mental health treatment, and treatment for alcohol and drug abuse. If a dependent child is 12 years of age or older, his or her social worker is authorized to inform the child of his or her right as a minor to consent to and receive those health services, as necessary. Social workers are authorized to provide dependent children access to age-appropriate, medically accurate information about sexual development, reproductive health, and prevention of unplanned pregnancies and sexually transmitted infections.

~~SEC. 3.~~

*SEC. 2.* Section 16001.9 of the Welfare and Institutions Code is amended to read:

16001.9. (a) It is the policy of the state that all minors and nonminors in foster care shall have the following rights:

(1) To live in a safe, healthy, and comfortable home where he or she is treated with respect.

(2) To be free from physical, sexual, emotional, or other abuse, or corporal punishment.

(3) To receive adequate and healthy food, adequate clothing, and, for youth in group homes, an allowance.

(4) To receive medical, dental, vision, and mental health services.

(5) To be free of the administration of medication or chemical substances, unless authorized by a physician.

(6) To contact family members, unless prohibited by court order, and social workers, attorneys, foster youth advocates and supporters, Court Appointed Special Advocates (CASAs), and probation officers.

(7) To visit and contact brothers and sisters, unless prohibited by court order.

(8) To contact the Community Care Licensing Division of the State Department of Social Services or the State Foster Care Ombudsperson regarding violations of rights, to speak to

1 representatives of these offices confidentially, and to be free from  
2 threats or punishment for making complaints.

3 (9) To make and receive confidential telephone calls and send  
4 and receive unopened mail, unless prohibited by court order.

5 (10) To attend religious services and activities of his or her  
6 choice.

7 (11) To maintain an emancipation bank account and manage  
8 personal income, consistent with the child's age and developmental  
9 level, unless prohibited by the case plan.

10 (12) To not be locked in a room, building, or facility premises,  
11 unless placed in a community treatment facility.

12 (13) To attend school and participate in extracurricular, cultural,  
13 and personal enrichment activities, consistent with the child's age  
14 and developmental level, with minimal disruptions to school  
15 attendance and educational stability.

16 (14) To work and develop job skills at an age-appropriate level,  
17 consistent with state law.

18 (15) To have social contacts with people outside of the foster  
19 care system, including teachers, church members, mentors, and  
20 friends.

21 (16) To attend Independent Living Program classes and activities  
22 if he or she meets age requirements.

23 (17) To attend court hearings and speak to the judge.

24 (18) To have storage space for private use.

25 (19) To be involved in the development of his or her own case  
26 plan and plan for permanent placement.

27 (20) To review his or her own case plan and plan for permanent  
28 placement, if he or she is 12 years of age or older and in a  
29 permanent placement, and to receive information about his or her  
30 out-of-home placement and case plan, including being told of  
31 changes to the plan.

32 (21) To be free from unreasonable searches of personal  
33 belongings.

34 (22) To the confidentiality of all juvenile court records consistent  
35 with existing law.

36 (23) To have fair and equal access to all available services,  
37 placement, care, treatment, and benefits, and to not be subjected  
38 to discrimination or harassment on the basis of actual or perceived  
39 race, ethnic group identification, ancestry, national origin, color,

1 religion, sex, sexual orientation, gender identity, mental or physical  
2 disability, or HIV status.

3 (24) To have caregivers and child welfare personnel who have  
4 received instruction on cultural competency and sensitivity relating  
5 to, and best practices for, providing adequate care to lesbian, gay,  
6 bisexual, and transgender youth in out-of-home care.

7 (25) At 16 years of age or older, to have access to existing  
8 information regarding the educational options available, including,  
9 but not limited to, the coursework necessary for vocational and  
10 postsecondary educational programs, and information regarding  
11 financial aid for postsecondary education.

12 (26) To have access to age-appropriate, medically accurate  
13 information about reproductive health care, the prevention of  
14 unplanned pregnancy, and the prevention and treatment of sexually  
15 transmitted infections at 12 years of age or older.

16 (b) Nothing in this section shall be interpreted to require a foster  
17 care provider to take any action that would impair the health and  
18 safety of children in out-of-home placement.

19 (c) The State Department of Social Services and each county  
20 welfare department are encouraged to work with the Student Aid  
21 Commission, the University of California, the California State  
22 University, and the California Community Colleges to receive  
23 information pursuant to paragraph (23) of subdivision (a).

24 ~~SEC. 4.~~

25 *SEC. 3.* Section 16002.5 of the Welfare and Institutions Code  
26 is amended to read:

27 16002.5. It is the intent of the Legislature to maintain the  
28 continuity of the family unit and to support and preserve families  
29 headed by minor parents and nonminor dependent parents who  
30 are themselves under the jurisdiction of the juvenile court by  
31 ensuring that minor parents and nonminor dependent parents and  
32 their children are placed together in as family-like a setting as  
33 possible, unless it has been determined that placement together  
34 poses a risk to the child. It is also the intent of the Legislature to  
35 ensure that complete and accurate data on parenting minor and  
36 nonminor dependents is collected, and that the State Department  
37 of Social Services shall ensure that the following information is  
38 publicly available on a quarterly basis by county about parenting  
39 minor and nonminor dependents: total number of parenting minor  
40 and nonminor dependents in each county, their age, their ethnic

1 group, their placement type, their time in care, the number of  
2 children they have, and whether their children are court dependents.

3 (a) To the greatest extent possible, minor parents and nonminor  
4 dependent parents and their children shall be provided with access  
5 to existing services for which they may be eligible, that are  
6 specifically targeted at supporting, maintaining, and developing  
7 both the parent-child bond and the dependent parent's ability to  
8 provide a permanent and safe home for the child. Examples of  
9 these services may include, but are not limited to, child care,  
10 parenting classes, child development classes, and frequent  
11 visitation.

12 (b) Child welfare agencies may provide minor parents and  
13 nonminor dependent parents with access to social workers or  
14 resource specialists who have received training on the needs of  
15 teenage parents and available resources, including, but not limited  
16 to, maternal and child health programs, child care, and child  
17 development classes. Child welfare agencies are encouraged to  
18 update the case plans for pregnant and parenting dependents within  
19 60 calendar days of the date the agency is informed of a pregnancy.  
20 When updating the case plan, child welfare agencies may hold a  
21 specialized conference to assist pregnant or parenting foster youth  
22 and nonminor dependents with planning for healthy parenting and  
23 identifying appropriate resources and services, and to inform the  
24 case plan. The specialized conference shall include the pregnant  
25 or parenting minor or nonminor dependent, family members, and  
26 other supportive adults, and the specially trained social worker or  
27 resource specialist. The specialized conference may include other  
28 individuals, including, but not limited to, a public health nurse, a  
29 community health worker, or other personnel with a comprehensive  
30 knowledge of available maternal and child resources, including  
31 public benefit programs. Participation in the specialized conference  
32 shall be voluntary on the part of the foster youth or nonminor  
33 dependent and assistance in identifying and accessing resources  
34 shall not be dependent on participation in the conference.

35 (c) The minor parents and nonminor dependent parents shall be  
36 given the ability to attend school, complete homework, and  
37 participate in age and developmentally appropriate activities  
38 unrelated to and separate from parenting.

39 (d) Child welfare agencies, local educational agencies, and child  
40 care resource and referral agencies may make reasonable and

1 coordinated efforts to ensure that minor parents and nonminor  
2 dependent parents who have not completed high school have access  
3 to school programs that provide onsite or coordinated child-care;  
4 ~~and that minor parents and nonminor dependent parents are given~~  
5 ~~priority for subsidized child care.~~

6 (e) Foster care placements for minor parents and nonminor  
7 dependent parents and their children shall demonstrate a  
8 willingness and ability to provide support and assistance to minor  
9 parents and nonminor dependent parents and their children.

10 (f) Contact between the child, the custodial parent, and the  
11 noncustodial parent shall be facilitated if that contact is found to  
12 be in the best interest of the child.

13 (g) For the purpose of this section, “child” refers to the child  
14 born to the minor parent.

15 (h) For the purpose of this section, “minor parent” refers to a  
16 dependent child who is also a parent.

17 (i) For the purpose of this section, “nonminor dependent parent”  
18 refers to a nonminor as described in subdivision (v) of Section  
19 11400 who also is a parent.